

PROB 12A
(12/88)

United States District Court

for

Southern District of Ohio

Report on Offender Under Supervision

Name of Offender: **Shane Gaskins**

Case Number: **1:00CR00041**

Name of Sentencing Judicial Officer: **The Honorable Susan J. Dlott**
United States District Judge

Date of Original Sentence: **October 25, 2000**

Original Offense: **Theft of Firearms From a Federal Licensee, a violation of 18 U.S.C. §§§ 922(u), 924(a)(1)(D), and 2.**

Original Sentence: **30 month(s) prison, 36 month(s) supervised release**
Special Conditions Ordered:

- 1. Participate in substance abuse treatment.**
- 2. Pay \$100 special assessment.**
- 3. Pay restitution in the amount of \$44,147.70 jointly and severally to the co-defendants in this case.**

07-07-05: Supervised release revoked. 18 months imprisonment to be followed by a one year term of supervised release.

Type of Supervision: **Term Of Supervised Release**

Date Supervision Commenced: **July 26, 2007**

NON-COMPLIANCE SUMMARY

The offender has not complied with the following condition(s) of supervision:

| <u>Violation Number</u> | <u>Nature of Noncompliance</u> |
|-------------------------|--------------------------------|
|-------------------------|--------------------------------|

#1

The supervised releasee shall pay restitution in the amount of \$44,147.70 jointly and severally with the co-defendants, to the multiple victims in this case.

At sentencing on October 25, 2000, the Court ordered that Shane Gaskins pay restitution in the amount of \$44,147.70 jointly and severally with the co-defendants, to the multiple victims in this case. His outstanding balance at the time of revocation on July 5, 2005, and at re-release on July 26, 2007, was \$43,752.70. Gaskins continues to have a restitution balance of \$43,752.70 as of the date of this report, and will not be able to pay in full during the term of supervised release.

On July 31, 2007, this officer met with Gaskins and went over the conditions of supervision in detail. Gaskins indicated he understood the conditions, including the restitution order, and signed the conditions. This officer set up a payment agreement on September 5, 2007, with Gaskins with him to pay \$20

a month, towards restitution, which represented his best faith effort based on his financial situation.

During the term of supervision, Gaskins experienced a great deal of financial hardship. He has worked full time since his release from incarceration in July 2007, and has been the sole support of his five children while earning \$1,200-\$2,200 a month. His estranged wife and co-defendant, Mrs. Melissa O'Malley Gaskins, has been largely absent from the lives of the defendant and their children. As a result, he has been unable to pay anything towards restitution since his re-release in July 2007.

In examining Gaskins financial situation, this officer has determined that he has no assets other than his earnings and does not have any excess cash available to pay the restitution. The offender has been advised of his obligation to pay restitution until it is paid in full during the remainder of his supervision term, and after the expiration of his sentence on July 25, 2008. It is this officer's opinion, that based on the above information, Gaskins has made his best, good faith effort to satisfy the Court's order of restitution. This officer has notified the Financial Litigation Unit of the U. S. Attorney's Office of this situation. Based on the provisions of 18 U.S.C. § 3663, the offender will be legally obligated to pay restitution jointly and severally with the co-defendants, to the multiple victims in this case, up to 20 years after sentencing, which occurred on July 5, 2005. Thus, the offender will be legally mandated to pay restitution until July 2025.

Therefore, based on Gaskins' cooperation and effort, along with the above legal remedy to obtain the balance of restitution, this officer is respectfully recommending that no action be taken against Gaskins for failure to pay restitution, and allow him to discharge as scheduled on July 25, 2008.

The Court is reminded to mark the box reflecting the court's decision in this matter, and to sign the appropriate location.

Respectfully submitted,

Approved,

by

David J. Backman by

David Backman

U. S. Probation Officer

Date: **June 20, 2008**

John Cole

John Cole

Supervising U. S. Probation Officer

Date: **June 20, 2008**

☒
 []
 []

I concur with the recommendation of the Probation Officer
Submit a Request for Modifying the Condition or Term of Supervision
Submit a Request for Warrant or Summons

Susan J. Datt
Signature of Judicial Officer

6/25/08
Date